

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:09CV39-3-MU

RODNEY D. SPRUILL,

Plaintiff,

v.

OFFICER J. KLAVER, et. al.,

Defendants.

ORDER

THIS MATTER comes before the Court on “Plaintiff’s First Request” filed May 5, 2009 (Doc. No. 7.) By way of the instant motion, Plaintiff requests certain discovery and asks this Court to issue a restraining order and transfer him from Alexander Correctional to another facility.¹

This Court dismissed Plaintiff’s Complaint on April 23, 2009 without prejudice for failure to exhaust his administrative remedies. Therefore, Plaintiff’s case is now closed and the discovery requested by Plaintiff is not relevant to any pending matter before the Court.

IT IS, THEREFORE, ORDERED that the Plaintiff’s motion is denied as moot.

¹ The Court notes that it does not have the authority to direct the Department of Corrections as to where to house inmates.

SO ORDERED.

Signed: May 12, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

